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Special Political and Decolonization Committee (Fourth Committee)

Summary record of the 3rd meeting
Held at Headquarters, New York, on Tuesday, 3 October 2017, at 3 p.m.

Chair: Mr. Ramírez Carreño ..... (Bolivarian Republic of Venezuela)

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* Items which the Committee has decided to consider together.

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The meeting was called to order at 3 p.m.

Agenda item 58: Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations (*continued*) (A/72/23 (chaps. V and XIII) and A/72/62)

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1. **Ms. Pedros Carretero** (Spain) said that the continued status of Gibraltar as the last colony in Europe was all the more lamentable since the administering Power, the United Kingdom, was a Spanish ally in many other areas. Under the Treaty of Utrecht, Spain had ceded to the United Kingdom only the town and castle of Gibraltar, together with its port, fortifications and forts, without ceding Territorial waters or Territorial jurisdiction. Yet, ignoring the terms of that Treaty, the United Kingdom had illegally occupied the isthmus and surrounding waters. The British occupation was contrary to international law and violated the integrity of Spanish territory; therefore Spain would continue to request restitution until decolonization had been completed.

2. The General Assembly and the Fourth Committee had mandated Spain and the United Kingdom to begin negotiations on ending the colonial situation, specifying in a series of resolutions that the decolonization of Gibraltar must be governed by the principle of territorial integrity rather than the principle of self-determination, and setting 1 October 1969 as the deadline for decolonization. Nevertheless, the United Kingdom had often taken steps contrary to decolonization, such as the holding of a referendum on questions of sovereignty in 1967. Fifty years had since passed, but there was nothing to celebrate given that no progress had been made.

3. The presence of a colony within Spain produced harmful effects beyond the political sphere. Gibraltar's special tax regime distorted the region's economy to the detriment of the Treasuries of Spain and the European Union, and the unfair advantage it provided to the economy of the Rock gave rise to dangerous organized crime specialized in transborder smuggling of tobacco. The Gibraltarian authorities should use some of their considerable wealth to protect the environment by building a sewage treatment plant, rather than discharging sewage into the sea.

4. Spain had nevertheless consistently remained open to dialogue and the previous year had formally invited the United Kingdom to open negotiations on a system of joint sovereignty. While Spain would never relinquish its just claim for a definitive solution to the question of Gibraltar in line with the relevant General Assembly resolutions and the Charter of the United Nations, its proposal aimed to increase the socioeconomic well-being of the entire region, and particularly of Spaniards working in Gibraltar and Campo de Gibraltar. Spain was trying to reach an agreement with the United Kingdom in order to implement a new regional cooperation scheme that would improve the daily lives of inhabitants on both sides of the border. That mechanism, unlike the defunct "Trilateral Forum", would include the participation of local and regional Spanish authorities, in addition to Spain, the United Kingdom and the Gibraltarian authorities.

5. Lastly, Spain would defend the interests of the Spaniards in Campo de Gibraltar, the Spanish district adjacent to the Rock, who were most affected by the problems arising from the colonial situation.

Agenda item 62: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (*Territories not covered under other agenda items*) (*continued*)

Hearing of representatives of Non-Self-Governing Territories and petitioners

6. **The Chair** said that, in line with the Committee's usual practice, representatives of Non-Self-Governing Territories would be invited to address the Committee and petitioners would be invited to take a place at the petitioners' table, and all would withdraw after making their statements.

Question of French Polynesia (A/C.4/72/2)

7. **Mr. Fritch** (President of French Polynesia) said that the Pacific Islands Forum, which was in the best position to assess the institutional and political situation of his country, had unanimously voted to admit French Polynesia as a full member. It followed that it was an autonomous country not under colonial domination.

8. Accordingly, the current draft resolution on French Polynesia should also recognize that it was self-governing. He strongly objected to the reference in paragraph 6 to a highly questionable self-governance assessment prepared, in fact, by a petitioner in the pay of a Polynesian pro-independence party. Such bias towards 'liberation theories', rather than respecting the will of the people expressed through democratic processes, was also reflected in the approach of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (Special Committee on decolonization). Nevertheless, the people of French Polynesia did not wish to be guinea pigs for ideological clashes, their priority was development, and 70 per cent of the population had voted for self-government candidates rather than for proponents of independence. They counted on the United Nations to hear their voice.

9. In view of French Polynesia's limited means, there was no shame in its turning to a major country such as France for support. In March 2017 the two countries had signed a 15-year development agreement and the fact that French Polynesia had entrusted the spheres of security and justice to France was an example of pragmatic cooperation, not "colonialism by consent".

10. Furthermore, France had acknowledged the effects of the nuclear testing carried out in French Polynesia and, for the last twenty years, had paid $180 million per year in compensation. Those funds had made several infrastructure projects possible.

11. Despite what the pro-independence petitioners speaking after him might say, French Polynesia was a democratic country under true rule of law.

12. **Mr.** Oscar **Temaru** (Chair, Tavini Huiraatira No Te Ao Maohi party and Mayor of Faa'a, Tahiti) said that colonialism was alive and well in French Polynesia but had been disguised to such a degree that it was actually being defended by the elected government. Since the Territory was supposedly self-governing, France was no longer required to abide by the rules applying to administering Powers; it could simply rely on a surrogate representative to justify the arrangement before the United Nations. The international community would, however, not be fooled and the Ma'ohi people wanted to exercise their right to self-determination. Replying to a question from **Mr. Bessedik** (Algeria), he said that France had been well aware of the health effects of nuclear testing, and therefore its decision to perform such tests in the Territory was a premeditated crime against humanity for which the Ma'ohi Protestant Church was planning to take legal action against France before the International Criminal Court. Compensation was too late and inadequate. In addition, the French Government, rather than the local inhabitants, was gaining tax revenue from infrastructure projects purportedly funded by such compensation, such as the international airport of Tahiti.

13. **Mr. Geros**, (Chair, Union pour la démocratie party), said that the Polynesian President's statement was an attempt to defend an indefensible dependency system which was no more than an illusion of autonomy. The administering Power controlled the most important spheres of government, especially those that generated revenue, and the few spheres which had been delegated to the Territorial government could be reclaimed by the administering Power at any time. The local government did not even have authority over the outer islands within its territory. In addition, France had not complied with the requirement, under article 72 of the French Constitution, to provide adequate funding when new government functions were transferred. Article 73 went on to enumerate the core functions that would never be transferred; with the result that only independence would allow the elected Polynesian government to exercise full powers freely. Responding to a question posed by **Mr. Esioto** (Nicaragua), he said that the French Parliament had unilateral power over the transfer of any functions even though the Territory had representatives in that body.

14. **Ms. Tevahitua** (Association Te Vahine Maohi No Manotahi), endorsing the two preceding statements, said that France controlled the local electoral system and, since a sovereign French Polynesia would not be in the best interest of France, that system had been designed to ensure that an accommodationist government remained in power. France had previously indicated that it could not fund the management of further government functions, yet the large sums of revenue France collected from French Polynesia far exceeded the cost of such management. Thus, if the transfer of real power were to take place, French Polynesia would be capable of funding its

self-government from its local economy. The current situation made a mockery of true autonomy.

15. **Mr.** Stanley **Cross**, speaking in his personal capacity as a member of the legal profession in Papeete, said that France continued to control the natural resources of the Territory and that the financial arrangements between France and French Polynesia did not protect the interests of local inhabitants. That violated international law and had rendered the Polynesian people dependent on the administering Power. Conversely, France gained income and geopolitical influence from controlling 5 million square miles of ocean that rightfully belonged to French Polynesia, and consequently ranking as the world's second greatest maritime Power.

16. **Mr.** Tetuahau **Temaru** (Deputy Mayor of Faa'a) said that significant quantities of cobalt, platinum, manganese and other rare earth elements had been found in French Polynesia and that exploitation of those seabed resources would be highly profitable. There were concerns regarding the environmental impact of extraction, yet under French law the administering Power had unilateral authority to exploit all strategic raw materials. Furthermore, the French Government collected large amounts of revenue by taxing French Polynesian airspace and airports.

17. **Ms.** Valentina **Cross** (Member, City Council of Teva I Uta), said that the accommodationist government of French Polynesia should be commended for finally having visited the United Nations, even if they represented the interests of the administering Power, rather than those of the local people. She called for clarity regarding the procedures of the United Nations in order to explain why no tangible changes had been achieved since the General Assembly had re-inscribed French Polynesia on the list of Non-Self-Governing Territories in 2013. Little would be accomplished by continuing to debate whether the Territory was self-governing. Instead, she called on the international community to give effect to the recommendations of the General Assembly.

18. **Ms. Galenon** (Association Vahini Piri Rava, Tahiti) said that French Polynesia as a dependent Territory had been exploited strategically by France in order to conduct nuclear testing there once such tests could no longer be conducted in Algeria following the latter's independence. The nuclear testing programme had had enormous health, economic and other consequences for French Polynesians and the entire Pacific region.

19. The accommodationist government of the Territory argued that a newly signed agreement with the French Government on the issue had established goodwill, since France had finally recognized the plight of its nuclear-testing victims. Her association was not impressed with the agreement, however, which came with few real commitments to reparations, merely modifying slightly the failed and totally inadequate compensation offers that had been made several years earlier. The agreement did not constitute an apology for the crimes perpetrated, and also failed to address the environmental damage caused by testing or the radioactive waste clean-up that was necessary.

20. **Mr. Chailloux** (Professor at the University of French Polynesia) said that a legitimate, comprehensive compensation programme was required for the victims of nuclear testing and their families in French Polynesia. In 2004, the Assembly of French Polynesia had passed a resolution quantifying nuclear-testing compensation. Although the resolution had been submitted to the United Nations, it had never been distributed to Member States; and none of the Committee's resolutions on French Polynesia had made reference to it, even though Assembly had revealed the inconvenient truth of nuclear testing and the role of the administering Power and its proxy government in the Territory. He placed little faith in the acknowledgement of testing by the administering Power, which continued to evade responsibility for its actions. The accommodationist Territorial government was being duped by its benefactor when it tried to make the case that its current course of action would lead to credible compensation for victims and their families.

21. **Mr. Taerea** (Association Bleu Djeun's No Maohi Nui) said that military activities such as nuclear testing impeded the implementation of the Declaration on decolonization. As stipulated in General Assembly decision 57/525, military activities and arrangements by colonial Powers in Territories under their administration ran counter to the rights and interests of the colonial peoples concerned, especially their right to self-determination, and the administering Powers must thus terminate them, while creating alternative sources of livelihood for the indigenous people, to replace the false military economic model.

22. In particular, the decision had clearly stated that Territories and adjacent areas must not be used for nuclear testing, dumping nuclear waste or deploying nuclear weapons and other weapons of mass destruction. Yet France had continued to dump nuclear waste held over from its testing period on several atolls in French Polynesia, and had moreover refused to engage in any meaningful clean-up.

23. **Ms. Teura** (Member, City Council of Tumaraa) said that the administering Power had wilfully concealed vital information regarding the effects of nuclear testing on French Polynesia. The shameful restriction of information on the true impact of nuclear testing was evidenced by the fact that the Pacific Islands Forum, in its 2017 report, had not mentioned the issue of nuclear testing in French Polynesia, even though it referred to the identical struggle for nuclear-testing compensation in the Marshall Islands. It was no coincidence that the government of French Polynesia had become a full member of the Pacific Islands Forum during the reporting period, as colonial surrogacy still primarily served the interests of an administering Power that refused to comply with Article 73 *e* of the Charter. On the contrary, the administering Power appeared to be working behind the scenes to block the dissemination of any information that might expose its violations of human rights and international law with regard to French Polynesia.

24. **Mr. Maamaatuaiahutapu** (Taaretu Tourist Bureau of Faa'a), said that the two reports of the Secretary-General on the environmental, ecological, health and other impacts as a consequence of the 30-year period of nuclear testing in the Territory (A/69/189 and A/72/74) were wholly inadequate and failed to assess the impact of nuclear testing on the people of French Polynesia, who were still waiting for reparatory justice. The reports had reflected the limited information available within the United Nations system, but had ignored other relevant reports on the effects of atomic radiation. New reports must be more comprehensive, continuously updated and consistent with the commitment to decolonization expressed by the Secretary-General in his address to the organizational session of the Special Committee in February 2017.

25. Given the grossly inadequate United Nations information provided, the Committee must avail itself of information from sources outside of the United Nations system and circulate them as official documents, including the 2014 independent scientific report by a French scientist on French nuclear testing in French Polynesia.

26. **Ms. Estall** (Association amicale des travailleurs de la mairie de Faa'a), said it was unsurprising that pro-French members of the Territorial government periodically resurrected General Assembly resolution 2625 (XXV) of 1970, which included, in addition to the recognized political status options of independence and free association or integration with an independent State, the additional option of "any other political status freely determined by the people"; their aim being to grant legitimacy to French Polynesia by claiming it possessed autonomy, whereas it remained a Non-Self-Governing Territory.

27. The United Nations position on the question of French Polynesia had evolved: it had placed it on the list of Non-Self-Governing Territories in 1946, but France had declared the following year that it was no longer a colony but a French overseas territory. It was only years later that the United Nations would decide that an administering Power or its proxies could not remove a Territory from the list, and that such a change had to be confirmed by the General Assembly after a thorough review of the political status arrangement. The 2013 resolution to reinstate French Polynesia as a Non-Self-Governing Territory had therefore been the correct decision.

28. **Mr. Brotherson** (French Polynesian Deputy to the National Assembly of France) said that General Assembly resolution 1541 (XV) had established that free association with an independent state represented a full measure of self-government, provided the people of the Territory in question had the freedom to modify its political status by democratic means and to determine its internal constitution without outside interference by the State in question. Under its so-called autonomy status, French Polynesia did not possess either of those abilities.

29. Affirming that the principles of equal rights and self-determination were significant contributions to contemporary international law, General Assembly resolution 2625 (XXV) had subsequently identified three options for self-determination — independence and free association or integration with an independent State — to which it had added "any other political status freely determined by the people" as another mode of implementing the right to self-determination. It was not true that the people of French Polynesia had freely chosen to remain associated with France: the Territory had not chosen to be annexed after wars, or to become a playground for nuclear testing, or to be exploited for its phosphates.

30. The French Government had been in denial since French Polynesia had been re-listed in 2013 as a Non-Self-Governing Territory, using outdated arguments about the United Nations interfering in its internal affairs that had previously been used when Algeria had struggled to become independent in the 1960s. In fact, the French delegation often left the room when French Polynesia was being discussed. However, President Macron had recently given a powerful and inspired speech describing colonialization as a crime against humanity, which

suggested that the time had perhaps come for France to re-enter genuine multilateral discussions to ensure the self-determination of French Polynesia.

31. **Mr. Tuheiava** (Member of the Assembly of French Polynesia) said that an expert analysis conducted for the Chair of the Special Committee in 2006 had determined that the option of choosing "any other political status" under General Assembly resolution 2625 (XXV) offered a mode of implementing the right to self-determination, but did not indicate that the particular political choice guaranteed that the goal of self-determination had been achieved. It was recognized as a transitional measure to full self-governance. The expert analysis had also concluded that resolution 2625 (XXV) had never been intended to legitimize political dependency models that did not provide for a full measure of self-governance.

32. Pacific island States were urged to reject all hegemonic views seeking to confine them both physically and psychologically. The current accommodationist government of French Polynesia served as the mouthpiece of an administering Power that ignored its international legal responsibilities under the Charter of the United Nations. The Organization was urged to take action expeditiously and to implement its five resolutions on French Polynesia, while adopting the draft resolution on French Polynesia before it by consensus.

33. **Mr. Arcia Vivas** (Bolivarian Republic of Venezuela) asked what the petitioners expected in terms of specific short- and medium-term actions from the United Nations that could contribute to decolonization.

34. **Mr. Tuheiava** said that a political education programme should be implemented to help the people understand that only three options were available for the exercise of self-determination: independence, free association or full integration. There was no fourth or "additional" option, which their accommodationist government, through its arrangement with the colonial Power, had falsely portrayed during elections as setting them on the path to self-determination.

35. **Mr. Corbin** (Dependency Studies Project) said that contemporary colonialism was the unfinished business of the United Nations, requiring solutions that were based on the established standards of self-governance recognized by its relevant resolutions. General Assembly resolution 67/265 had concluded that French Polynesia was a Non-Self-Governing Territory, a conclusion that had been reinforced by subsequent resolutions stating that the status of the Territory was characterized by the administering Power's wielding unilateral control over most government functions. The Territory fell quite short of meeting the criteria for self-determination, and internal reforms did not constitute decolonization. Without a thorough United Nations examination, the organizing of visiting missions, the provision of political status education and a substantive review of existing dependency arrangements, and in the absence of a case-by-case review and other warranted actions, the decolonization process would continue to be delayed.

36. A method of work should be introduced that emphasized implementation and ensured accountability. Since the Territory had been re-listed, its administering Power had transmitted no information and was thus in clear violation of Article 73 *e* of the Charter. It had furthermore refused to cooperate with the Special Committee regarding examination of the Territory. Despite such actions, the administering Power had never been held to account. Debate was thus relegated to the expression of competing opinions, including arguments for the legitimization of the Non-Self-Governing status that would circumvent the mandate of the United Nations. Colonialism was not subject to debate: the reality was that French Polynesia was not self-governing, and dependency governance was not democratic governance. Genuine forms of autonomy, such as Greenland with Denmark and the Cook Islands with New Zealand, should be studied as models.

37. Replying to a question from **Mr. Esioto** (Nicaragua) regarding the implementation of the General Assembly resolutions on French Polynesia to date, he said that implementation had always been the Achilles heel of all decolonization resolutions. Accountability was needed, as well as reports outlining what actions the United Nations system had been asked to take but had not yet completed.

38. **Mr. Chan** (Association 193) said that his organization had started a 2016 petition for a local referendum on nuclear issues and had received 53,500 signatures thus far. However, there had been no reaction from political leaders given the climate of false democracy that prevailed in French Polynesia.

39. Rather than dwelling on the mistakes of the past, he hoped that the great nation of France would choose to listen to what the Polynesian people had to say about the impact of the 193 nuclear tests conducted on their land. Discussion about the impact of nuclear testing had long been taboo, to the point that the subject had not been mentioned during the recent adoption of the United Nations Framework Convention on Climate Change in Paris. Despite a lack of knowledge amongst

young Polynesians about that sad episode of their history, the entire country had been contaminated and the Mururoa Atoll in particular was crumbling and breaking apart. Six hundred new cancer cases were detected per year, leading to 300 deaths per year, in a population of fewer than 300,000 inhabitants. And yet the French Government had come once again to proclaim that all was well. France had poisoned the Polynesians and committed crimes against humanity. There was evidence that the French Government had been fully aware of the consequences of nuclear testing and nonetheless used Polynesians as guinea pigs.

40. The forgotten victims of his country therefore demanded justice and reparation. France must bear the health-care costs for any injuries it had caused. Association 193 believed that a local referendum on the nuclear tests could prompt France to acknowledge its responsibility.

Question of Gibraltar (A/C.4/72/3)

41. **Mr. Picardo** (Chief Minister of Gibraltar) said that fifty years earlier, the people of Gibraltar had voted in a referendum organized by its administering Power, choosing to remain British by an overwhelming 99 per cent majority. Although the Spanish Government at the time had deemed the referendum illegal, the United Kingdom had in fact been advancing the right to self-determination in accordance with the principles of the Charter and the relevant General Assembly resolutions. The referendum generation had faced down the Franco dictatorship, giving rise to a modern, democratic European nation that was a proud member of the British family of nations. Gibraltar remained British exclusively as a result of the free and fair choice of its people. In 2002, Gibraltar itself had organized a referendum, on whether or not to accept an offer of joint sovereignty with Spain. The Spanish Government had again ruled that the referendum was illegal and the people had once again voted overwhelmingly in favour of remaining entirely British. Although the United Kingdom had also opposed that referendum, it had exerted no violence or political pressure to stop the vote.

42. The environment of peaceful co-existence and respect in which both referendums had taken place was reflective of life in Gibraltar and the country's relationship to the United Kingdom. Gibraltar was a law-abiding community of wide cultural, religious and social diversity that respected the rules-based system of international law and complied with its obligations as a member of the international community. Gibraltar therefore complied with all international criteria on prudential supervision, transparency and exchange of information in the field of financial services, as well as with the rules regarding the exchange of tax information and fiscal transparency outlined by the Organization for Economic Cooperation and Development. Gibraltar exchanged tax information with 104 countries and had similarly offered to do so with Spain. However, the Spanish Government did not recognize the existence of Gibraltar and had therefore refused to sign the tax agreement.

43. Spain was not complying with the Charter when it failed to respect the rights of the people of Gibraltar to freely determine their status. However, his Government appreciated the recent statements made by Spain explaining that it would not seek to use the departure of the United Kingdom from the European Union to advance their sovereignty claims, and that any offer of joint sovereignty with Spain could be applied only with the consent of the Gibraltarian people. His country had rejected that offer before and would continue to do so, but would, however, continue to tender the olive branch of cooperation to the people of Spain. Even though it would leave the European Union alongside the United Kingdom, Gibraltar sought to maintain a strong relationship of trade, friendship, cooperation and security with Spain and Europe based on mutual respect and economic benefit. His Government was ready to work with Spain on matters that would not compromise its sovereignty, jurisdiction or control.

44. It was important to recognize that 7,000 cross-border workers came to Gibraltar from Spain every day and significantly contributed to the country's success. They and all others who crossed what would become an international border must be able to continue to cross freely once Gibraltar had left the European Union. The people of Gibraltar did not respond well to threats regarding such matters and would never give up their right to sovereignty. It was British and would stay British.

45. **Mr. Buttigieg** (Self-Determination for Gibraltar Group) said that the referendum generation that had voted in 1967 to remain British had made its choice fully cognizant of the hardships that would follow. Spain had unilaterally closed its border with Gibraltar and launched a political siege that had separated families and impeded the flow of food and other essential supplies. Although it could have been argued that those actions had been those of a fledgling democracy, the recent actions taken by the Spanish Government against its own people challenged that notion.

46. Gibraltar had held a second referendum in 2002 and had once again voted overwhelmingly in favour of the British option. Spain nonetheless continued to refuse to acknowledge the reality of a whole nation, merely repeating the same stale and undemocratic claims. Gibraltar could not trust a country that had isolated it from the world and strangled it politically and economically for over a decade just because it had had the temerity to hold a referendum. How could a nation be trusted when it sent out anti-riot vehicles and paramilitary forces against its own people merely because they were exercising their right to choose? Aside from its mistrust of Spain, Gibraltar was steadfast in its desire to remain British.

47. He urged the Committee to act more decisively on the issue of Gibraltar and to inform it of the steps that were necessary to achieve de-listing. A United Nations visiting mission must be sent to Gibraltar. By failing to take such actions, the United Nations emboldened Spain to continue with its antagonistic attitude. The people of Gibraltar would never yield to coercion and would never surrender: they would never give up their right to self-determination and democratic freedom.

Question of Guam (A.C.4/72/4)

48. **Mr. Baza Calvo** (Governor of Guam), sharing the story of his great-grandfather and his vision of self-governance for the Chamorro people, said that the people of Guam had been loyal to the United States: he wondered when they would be considered as equals and given the same rights as its other citizens, instead of being viewed as second-class citizens.

49. Guam experienced a number of difficulties on account of its Territorial status. For example, unfunded mandates like the Earned Income Tax Credit and the Compact of Free Association had left the island in debt. Once the United States Government had returned native lands, Guam had passed the Chamorro Land Trust Act to give Chamorro descendants of original inhabitants the opportunity to lease property for a nominal sum. In October 2017, however, the United States Department of Justice had filed a lawsuit, arguing that giving back land to its rightful Chamorro owners violated the Fair Housing Act – a law designed to protect American citizens from discrimination in public housing. It was not clear who then protected the native inhabitants of Guam from being marginalized in their homeland. Since a United States court had ruled that a plebiscite on the political status of the Territory had been unconstitutional because it had limited voting to native inhabitants, Guam was once again at an impasse on the road to self-determination.

50. As the Chairman of the Commission on Decolonization of Guam, he had made decolonization a major government priority for the first time in many years. It was hoped that schools would soon include decolonization in their curricula so that Guamanian students could learn about their right to self-determination. He had recently written to the Special Committee, inviting a visiting mission to the island for the first time since 1979. A visiting mission would shed new light on the island's pursuit for self-determination in the face of new challenges to decolonization and self-governance.

51. The quest for decolonization was not based on any hatred of the United States, nor was it lacking in patriotism. The people of Guam in fact hoped to experience the ideal democracy, liberty, opportunity and equality that were the foundations of the national dream — the same ideals for which many Guamanians had fought as members of the United States Armed Forces.

52. The people of Guam were United States citizens, and yet did they did not enjoy some of the rights that other citizens did, such as the right to vote for the president. Guam had a lengthy history of inequality and arbitrary legislation against its native population. Whatever course the self-determination of Guam might take — relaxing its association with the United States, becoming the fifty-first state or pursuing independence — the people of Guam were currently a part of the United States. It was hoped that Guam would take its next steps towards decolonization before the end of the Third International Decade for the Eradication of Colonialism in 2020.

53. **Mr. Arcia Vivas** (Bolivarian Republic of Venezuela) said that his delegation would like to know the Governor's views about the impact on Guam of the presence of the occupying Power's military bases and the threats posed to the island's indigenous Chamorro people by the recent altercation in which the Territory had been involuntarily involved. He also wondered to what extent self-determination might improve the island's situation in such circumstances.

54. **Mr. Baza Calvo** (Governor of Guam) said that the location of Guam had been significant for centuries, as several great Powers had successively coveted possession of the tiny island because of its strategic position. The evolving situation involving the Democratic People's Republic of Korea was merely the latest instance of that phenomenon. Some Guamanians believed that the presence of United States military bases made the island a target, while others considered

that presence an effective form of defence for the island.

55. **Mr. Duhaylonsod**, speaking in his personal capacity, said that as a descendant of the Taotao Latte lineage in Guam, he wished to submit the following recommendations. The United Nations should approve the draft resolution on the question of Guam; send a mission to the Territory and ensure the cooperation of the United States in the decolonization process; condemn the destructive activities proposed by the administering Power throughout the Mariana Islands; urge the return of Guamanian lands to the original landowning families or a just compensation for the lands in agreement with the families; and encourage an election to facilitate a vote on the reunification of the Mariana Islands. Numerous rights in the areas of indigenous natural resources and cultural patrimony, along with many others guaranteed by the United Nations Declaration on the Rights of Indigenous Peoples, had systematically been denied in Guam, but the colonial status of the people had left them powerless to redress that injustice. United States troops had repaid his forebears for their generous sharing of their resources by confiscating ancestral lands only recently recovered by his family, while countless other families had yet to receive any restitution. The rightful heirs were engaged in a struggle to recover them and opposed the United States military's plans to build a firing range, lest their lands suffer the same fate as other territories polluted with unexploded ordnance. Unlike democracies based on a capitalism that supported the voluntary exchange of properties, his people had been subjected to the plundering of their land, the devastation of their environment and the disparagement of their native language, customs and cultural sites.

56. Because the rhetoric of the administering Power had placed Guam in the crosshairs of nuclear weaponry, the island's people faced an uncertain future and doubted that any federal help would be prompt enough or sufficient in the event of a military attack or a natural disaster. Such were the harsh realities of a 21st-century colony.

57. **Ms. Na'puti** (Guahan Coalition for Peace and Justice) said that the number of Non-Self-Governing Territories had actually increased during the Third International Decade for the Eradication of Colonialism. She pleaded with the Committee to take tangible action in support of the exercise by Guam of self-determination and hoped it would adopt the draft resolution on the question of Guam, which condemned the serious, irrevocable damage that would result from the administering Power's planned construction of facilities and firing ranges for United States Marines.

58. The call for protecting the environment from the effects of militarization echoed her organization's repeated requests for direct assistance to Guam in dealing with ongoing environmental contamination and with environmental monitoring. Decolonization was absolutely crucial for the people and environment of Guam. As the world's worst polluter, the United States Department of Defence had left a toxic legacy throughout the island and the entire region. Meanwhile, the United States was using its so-called environmental protection initiatives to entrench its political control over the Territory, while ignoring the Superfund sites existing there, defined as the most contaminated lands in the United States, and the 95 other toxic sites created on its Territorial military bases.

59. Her generation was in mourning for places it feared would never be cleaned up within its lifetime. Guam's natural resources had been seized, contaminated and destroyed by the military, in violation of General Assembly resolution 57/140, which called upon the administering Power to terminate such activities and to eliminate the remaining military bases. Instead, without the consent of the island's inhabitants, the administering Power was going ahead with plans to destroy over 1,000 irreplaceable acres of limestone forest and contaminate the island's largest source of drinking water.

60. **Mr. Won Pat-Borja** (Independent Guâhan) said that the fear of an imminent nuclear bombing that marked his daily routine, one so different from that of the average United States citizen, was just another painful reminder that Guam was another country's Territory. When the Democratic People's Republic of Korea had announced that it possessed a nuclear missile capable of reaching Guam, officials had done their best to contain panic by reassuring residents that Guam was ready. His people had survived the worst kind of natural disasters, but there was nothing natural about a disaster of that kind. His family found no comfort in the reassurances from the Guam Homeland Security Office of Civil Defence that a nuclear missile would likely miss Guam. The Governor's claim that the United States would protect Guam was equally unconvincing, in the light of the administering Power's actions during World War II, when it had evacuated Americans ahead of the Japanese invasion or, after the war, when it had liberated Guam after dropping nuclear bombs on Japan. President Trump had threatened fire and fury, but there was no solace to be found in the promise of more violence. While the Democratic People's Republic of Korea did not regard the

Chamorro people as a threat, Guam would remain a target as long as it was a military asset to the United States.

61. The horrors of Hiroshima and Nagasaki seemed to have been easily forgotten, as was the fact that the United States was the only country that had ever used a nuclear weapon in war. Although it possessed a nuclear arsenal capable of obliterating the planet, it somehow remained a member of the United Nations while the Organization imposed strict sanctions on the Democratic People's Republic of Korea. Generations of his people had been crossing the ocean to plead their case before the Committee, which had yet to take action. He invited Committee members to go to Guam and witness how its people were dying in another people's wars or of cancer and nuclear radiation, and were held in captivity in United States prisons.

62. **Ms. Leon Guerrero** (Our Islands Are Sacred), speaking also as a member of Independent Guåhan and of the Independence for Guam Task Force, said that peace was as urgent a necessity for her homeland as it had been for the world when the United Nations had been created. In the event of a nuclear conflict, Guåhan (Guam) would be caught in the middle, its people facing genocide. As the grey cloud of war hovered over the island, she was unsure about how to allay her children's fears about their safety. She came before the Committee as a mother determined to protect her children and to be a voice for the people of Guåhan whose calls for peace, preservation of their natural resources and respect for their ancestors had been systematically silenced by colonization. In the name of United States defence, they were told to make way for the military and had been put in harm's way. Composed of nations that had fought for and won their sovereignty, the Committee should use its voice to help her people live in peace and prosperity in their homeland. She endorsed the request by the Governor of Guåhan for a United Nations visiting mission to enable the United Nations to expand its role and engagement with the United States in the island's decolonization process.

63. **Mr. Bevacqua** (Independence for Guam Task Force) said that as the administering Power, the United States had ignored United Nations resolutions calling upon it to refrain from implementing immigration and militarization policies in its Territories that would hinder their decolonization. Guam had been used as a port of entry to the United States since World War II. In that time, tens of thousands of migrants from Asia and other islands in Micronesia had made the island their home and the percentage of Chamorros had dwindled from 90 to 37 per cent.

64. While all on Guam were proud of the multicultural tapestry the island had become, the administering Power had recently begun to use that diversity to deprive the Chamorro people of their basic human rights in their own land. In March, a federal court had ruled that any decolonization plebiscite must include the participation of all United States citizens on the island, even if they had been there only for a few days. The United States Department of Justice had sued the Government of Guam in an attempt to eliminate the Chamorro Land Trust, a programme created to provide land to landless Chamorros unjustly displaced by the United States military after World War II. The United States Government claimed that both the plebiscite and the programme violated the United States Constitution and that the only rights Chamorros on Guam had were those established by the United States Congress. Any decolonization process that followed the colonizer's rules was little more than an extension of colonization, retaining the same structures of inequality.

65. Guam held enormous military value for the United States, which had taken advantage of the Territory's status to reap numerous strategic benefits while denying its people representation in the United States Congress or at the United Nations. The military value had effectively obstructed the decolonization process, preventing the people of Guam from participating in negotiations akin to those through which the members of the Trust Territory of Micronesia had acquired their sovereignty and become the independent States of Palau, the Marshall Islands and the Federated States of Micronesia. He endorsed the call by several petitioners to send a visiting mission to Guam.

66. **Mr. Arcia Vivas** (Bolivarian Republic of Venezuela) asked whether Mr. Bevacqua, as a member of the Independence for Guam Task Force, thought it was possible for the occupying Power to meet the demands of the Chamorro people, in view of recent developments. He also would like to know how the United Nations could help pave the way for the exercise of self-determination by sending a visiting mission to the Territory.

67. **Mr. Bevacqua** (Independence for Guam Task Force) said that one of the reasons that being a colony in the modern world was a strange experience was that most people did not believe that colonies still existed. Many in the United States thought Guam was either a fictional place or a military base. While it had been nearly impossible to induce the administering Power to engage in dialogue, he hoped that the media attention that a visiting mission would garner might impress

upon the United States the need to take its obligations seriously.

68. **Ms. Barnett** (Prutehi Litekyan) said that her organization was dedicated to the protection of natural and cultural resources throughout Guåhan. War cast a grim shadow over her island, as the administering Power conducted military training and testing, euphemisms for its use of explosives in the ocean and on ancestral lands. As a bearer of her people's long tradition of resilience and resistance in the face of colonial oppression, violence and the threat and reality of war, she refused to remain silent. The United States was planning to build a massive live-fire training range in northern Guåhan, overlooking the sacred Chamorro village of Litekyan, a living memorial to ancient Chamorro ways of life, on land stolen from its original owners. According to the United States Navy, over 79 ancestral sites would be bulldozed or damaged in the area, and the projected installations would destroy over 1,000 acres of the last 5 per cent of pristine limestone forests. Moreover, the firing range, located above the primary aquifer, would contaminate the island's main source of drinking water, with almost 7 million bullets containing lead and other toxic substances to be fired at Litekyan every year.

69. Through popular demonstrations and resolutions opposing the construction of the firing range, the Chamorro people had sent the clear message that their ancestors had not intended for their home and sacred places to be a place of war games for foreign soldiers. The construction clearly violated international law, which forbade administering Powers from destroying the natural and cultural resources of a colonized people. She called upon the Organization to work with the Chamorro people to halt the militarization of the island so that it could begin its long-overdue decolonization process.

70. **Ms. Natividad** (Guam Commission on Decolonization) said that the Committee must act decisively to help Guam and the other Non-Self-Governing Territories to exercise their right to self-determination. The draft resolution on the question of Guam rightly noted with concern that a United States court had ruled that a plebiscite on self-determination could not be limited to native inhabitants, thus bringing the plebiscite and eligible voter registration to a halt and nullifying elements of Guam law, which had established the Guam Commission on Decolonization to ensure the exercise of Chamorro self-determination. Furthermore, the ruling had been based on the civil rights of United States citizens, but in the process had violated not the civil rights but the inalienable human right to self-determination of those who had collectively experienced colonization.

71. Four generations of her people had already come before the United Nations pleading with the Organization to intervene, and many more would follow suit unless the Committee changed course and focused on the specific actions that it could take to resolve the question of Guam. The Guam Commission on Decolonization therefore recommended that the United Nations should use its influence to compel constructive engagement from the United States in the island's decolonization process in accordance with the principles of decolonization and international law; and that a United Nations visiting mission should be sent to Guam, as requested by the Territory's Governor.

72. **Ms. Terlaje** (Senator and Vice-Speaker in the Guam legislature and Vice-Chair of the Guam Commission on Decolonization) said that the safeguarding of a Non-Self-Governing people's rights to control its natural resources and participate in any decisions about them were hallmarks of self-determination. It was critical that in a period of climate change, Guam, a small island, should be allowed to protect resources that increased the absorption of carbon dioxide, protected shores against rising tides and maintained the island's biodiversity as a hope for the future wellness and economic independence of its community. The Territory's land and ocean were increasingly under threat, and access to and control over its resources were impeded by the delay in decolonization.

73. Of the over 100 contaminated sites on Guam, nearly all were the product of United States military activity, which, in turn, had exposed the people of Guam to many carcinogens. Guam had been denied compensation for radiation exposure despite high cancer rates, which had been compounded by confirmed exposure to nuclear testing in the Marshall Islands. Nonetheless, the United States military training and testing areas continued to expand, occupying over one third of the island, causing the destruction of acres of limestone forest and endangering coral reefs.

74. A recent lawsuit filed by the United States against the Government of Guam sought to invalidate the Chamorro Land Trust Act, a 40-year-old local law that reserved land in trust, forever, for the native inhabitants of Guam. The Act had been established by the Guam legislature to address the forcible expropriation of land and resettlement of Chamorros during periods of colonization and especially after World War II, when over two-thirds of the island's land

had been taken by the United States military. It was ironic and unjust that the United States was permitted years of inaction on decolonization but could suddenly and unilaterally try to use its courts to dismantle a programme that safeguarded a homeland for the native inhabitants of its Territory. Furthermore, the United States argument that the Chamorro Land Trust Act was discriminatory was inconsistent with the establishment of similar programmes in the United States. It also ran counter to the its position in favour of its unilateral establishment of firing ranges, where it claimed that its courts were precluded from stopping that project because the matter was a political one to be determined by the United States Congress.

75. The indigenous people of Guam had never consented to having their land, waters or food contaminated; their fishing grounds and ocean resources restricted; their homes and villages relocated or lost; firing ranges built adjacent to ancient villages and sacred burial grounds; or their borders decided without their input. She therefore urged the Committee to adopt a resolution demanding the immediate decolonization of Guam before any more of its resources were lost.

76. **Ms. Cruz Nelson** (Senator in the Guam legislature) said that the United States military occupied over one-third of her island's landmass. One in eight adults on the island was a United States military veteran, but despite having the highest military enlistment rate per capita in comparison to the United States mainland, Guam ranked last for veteran medical care. Alarmingly, the United States fully supported her people's military enlistment but not their quest for self-determination or freedom. The administering Power's colonial control over Guam extended to every aspect of life on the island, as evidenced by a United States court's abrogating the right of its inhabitants to hold a plebiscite. Nevertheless, Guamanians had made their will known, taking to the streets to protest that court ruling as well as the military's plan to develop an environmentally destructive firing range. Was it right to allow an impending military build-up in a place that had not yet been decolonized?

77. Guam needed the Fourth Committee to become the driving force to its decolonization by pressuring the United States to do what was necessary so that Guam could be removed from the list of Non-Self-Governing Territories. The United States must publicize all pertinent materials related to the three status options. Her people's wishes remained the same, namely, to have the freedom to govern themselves and choose their political status, and to exercise the inherent, God-given right to make economic and environmental decisions that would preserve the Chamorro people.

78. **Ms. Borja** (Sagan Kotturan Chamoru) said that her island and her people's Chamorro language, culture and identity had been adversely affected by United States imperialism, colonization and militarization. When the United States had first gained control of Guam in 1898, her people had been forced to learn English and forbidden to speak Chamorro. Instead of learning about their heritage, children were taught United States culture and history in English from a white, Western perspective. United States Census data from 1990, 2000 and 2010 indicated that the number of Chamorro speakers on Guam had dwindled to 17 per cent, with most fluent speakers being over the age of 55. Language and culture were directly linked to the existence and survival of a people.

79. A new generation of Chamorros, aware of the importance of their identity, were now speaking to their children in Chamorro and carrying on the fight for their right to self-determination. However, they could not prevail without the Committee's help. The purpose of her grassroots organization was to perpetuate the Chamorro language and culture. It endorsed the sending of a visiting mission to Guam, and supported the draft resolution on the question of Guam, especially its emphasis on the need for the administering Power to recognize and respect Chamorro political, cultural and ethnic identity. Language should also be included condemning the administering Power's plans to build a firing range above Litekyan, thereby denying access to a Chamorro sacred space. Lastly, she expressed support for the request made to the United Nations by the Governor of Guam to send a visiting mission to the Territory.

80. **Ms. Munoz** (Pacific Women's Indigenous Network) said that the issue of climate change was bound up with political future of Guam and the vulnerability and survival of the island and its people. Since 2013, Guam and the Western Pacific had experienced alarming developments due to warming oceans, which had destroyed coral habitats and thus killed off fish species, while rising sea levels, slated to spike dramatically in the coming century, had submerged low-lying areas and intensified coastal flooding from typhoons and tsunamis.

81. This had particular significance for her Chamorro people who, despite their colonial history, had remained a distinct indigenous people with a living culture that revolved around their relationship to their land. Securing land rights for indigenous peoples was a proven climate change solution; conversely, denying

such rights was a threat to the world's remaining forests and biodiversity and was a primary cause of poverty. As a United States Territory, Guam and the Chamorros were held hostage to that country's decisions regarding climate change, most recently its withdrawal from the Paris Agreement on Climate Change, which gravely undermined how Guam believed it should respond locally to that complex issue, for instance by hosting climate change refugees from the Western Pacific.

82. The only way to ensure the full participation of Guam and its people in local, regional and global climate change efforts was to resolve the question of its political status and uphold the Territory's human right to self-determination. At the moment, Guam was denied the right to make meaningful contributions to the Pacific Islands Forum alongside its sovereign sister nations.

83. When adopting the draft resolution on the question of Guam, the Committee should condemn the administering Power's intended destruction of over a huge stretch of limestone forest, its barring of access to a sacred site and its contamination of the island's largest source of drinking water. The United Nations must send a visiting mission to Guam and use its influence to compel the administering Power to engage fully in Guam's decolonization process.

84. **Ms. Limtiaco** (Famoksaiyan), speaking on behalf of the indigenous Chamorro people of Guam, said that the United States military still planned to relocate 5,000 Marines and their dependents from Okinawa to Guam between 2024 and 2028, pursuant to its agreement with Japan. As a result, more of the Territory's ancestral lands had been taken from the indigenous Chamorro people to be used for firing ranges, detonation testing and training. For years, the people of Guam had been fighting to put an end to the use of its ancient sites as training grounds, most recently rallying peacefully against the plan to build a massive firing range in Litekyan. For merely exercising their right to be heard, Guamanians participating in those efforts had been labelled terrorists, traitors and even anti-American. Moreover, the United States Department of Defence had been using the projected firing range as a diversion from the even larger threat to Guam's environment and economy posed by its Mariana Islands Testing and Training project, which would expand the Department's training and detonation area to almost 1 million nautical miles, in the process killing off an estimated 80,000 marine mammals from close to 30 distinct species, destroying over six square miles of endangered coral species and contaminating the island's aquifers.

85. Those destructive practices would also stoke further tensions with the Democratic People's Republic of Korea. The escalating tensions had already cost Guam millions in tourism revenue because the island was caught in the crossfire between the United States and that State. He urged the Committee to take a strong position against the plans by the administering Power to expand harmful military activities, and in favour of sending a visiting mission to Guam. The Organization must use its influence to involve the United States in the Territory's decolonization process in a way that guaranteed genuine self-determination and cooperation.

The meeting rose at 6.05 p.m.